

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

GG110US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/807526

INTERNATIONAL APPLICATION NO.
PCT/GB99/03446INTERNATIONAL FILING DATE
18 Oct 1999 (18.10.1999)PRIORITY DATE CLAIMED
16 Oct 1998 (16.10.1998)

TITLE OF INVENTION

POLYMORPHISM IN A TGF-BETA GENE CORRELATED TO OSTEOPOROSIS

APPLICANT(S) FOR DO/EO/US

Timothy David Spector, Richard William Keen, Fernando Gibson, Helen Ruth Molloy

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: see attached Continuation Sheet for list of other items

U.S. APPLICATION NO. <u>09/807526</u>				INTERNATIONAL APPLICATION NO. PCT/GB99/03446		ATTORNEY'S DOCKET NUMBER GG110US																																																																
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1"><thead><tr><th>CLAIMS</th><th>NUMBER FILED</th><th>NUMBER EXTRA</th><th>RATE</th><th>\$</th></tr></thead><tbody><tr><td>Total claims</td><td>7 - 20 =</td><td>0</td><td>x \$18.00</td><td>\$</td></tr><tr><td>Independent claims</td><td>4 - 3 =</td><td>1</td><td>x \$80.00</td><td>\$ 80.00</td></tr><tr><td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td><td>+ \$270.00</td></tr><tr><td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td><td>\$ 1070.00</td></tr><tr><td colspan="4"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td><td>\$ 535.00</td></tr><tr><td colspan="4">SUBTOTAL =</td><td>\$ 535.00</td></tr><tr><td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td><td>\$</td></tr><tr><td colspan="4">TOTAL NATIONAL FEE =</td><td>\$ 535.00</td></tr><tr><td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td><td>\$</td></tr><tr><td colspan="4">TOTAL FEES ENCLOSED =</td><td>\$ 535.00</td></tr><tr><td colspan="4" rowspan="2"></td><td>Amount to be refunded:</td><td>\$</td></tr><tr><td>charged:</td><td>\$</td></tr></tbody></table>						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	7 - 20 =	0	x \$18.00	\$	Independent claims	4 - 3 =	1	x \$80.00	\$ 80.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$270.00	TOTAL OF ABOVE CALCULATIONS =				\$ 1070.00	<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 535.00	SUBTOTAL =				\$ 535.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	TOTAL NATIONAL FEE =				\$ 535.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	TOTAL FEES ENCLOSED =				\$ 535.00					Amount to be refunded:	\$	charged:	\$	CALCULATIONS PTO USE ONLY	
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a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.																																																																						
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1805</u> in the amount of \$ <u>535.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.																																																																						
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1805</u> . A duplicate copy of this sheet is enclosed.																																																																						
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																																																						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																																																																						
SEND ALL CORRESPONDENCE TO: Patricia A. McDaniels Gemini Genomics, Inc. 189 Wells Avenue Newton, MA 02459 (617) 527-4198 (telephone) (617) 527-4199 (facsimile)																																																																						
SIGNATURE <u>Patricia A. McDaniels</u> NAME <u>Patricia A. McDaniels</u> 33,194 REGISTRATION NUMBER																																																																						

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Rec'd PCT/PNO

12 A

DOCKET NO.: GG110US

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

US National Phase of

International Application No.: PCT/GB99/03446

International Filing Date: 18 October 1999

Applicants: Timothy David Spector, Richard William Keen,
Fernando Gibson, Helen Ruth Molloy

Earliest Priority Date: 16 October 1998

Title: **POLYMORPHISM IN A TGF-BETA GENE
CORRELATED TO OSTEOPOROSIS**

Box PCT
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

**Certificate of Mailing
Pursuant to 37 C.F.R. 1.10**

I certify that the this correspondence was deposited with the U.S. Postal Service as Express Mail, Mailing Label No. EK748827483US, on the date set forth below.

Patricia A. McDaniels

Patricia A. McDaniels
Reg.No. 33,194

Date: 12 April 2001

**CONTINUATION OF ITEM 20 OF TRANSMITTAL LETTER TO
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Other items or information submitted:

- Copy of International Search Report;
- Copy of Corrected Version of front page of WO 00/23618
- Copy of International Preliminary Examination Report containing amended pages 2 and 2a of the application;
- Statement Pursuant to 37 C.F.R. 1.821(f)
- Paper copy of Sequence Listing contained in computer readable form
- Information Disclosure Statement Transmittal
- Postcard

PATENT APPLICATION SERIAL NO.

09/807526

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

07/27/2001 HNGUYEN 00000018 501805 09807526

01 FC:971	430.00 CH
02 FC:254	65.00 CH
03 FC:965	40.00 CH